

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MERCURY MULTIFAMILY §  
MANAGEMENT, LLC AND MERCURY §  
METROPLEX REAL ESTATE II, LLC, §  
§  
Plaintiffs, §  
§  
vs. § CIVIL ACTION NO. 3:16-CV-2557-D  
§  
PELEUS INSURANCE COMPANY, §  
ENGLE MARTIN & ASSOCIATES, AND §  
RIDGE BRENTON KIRN, §  
§  
Defendants. §

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE OF PLAINTIFFS' CLAIMS  
AGAINST DEFENDANTS ENGLE MARTIN & ASSOCIATES, INC. AND RIDGE KIRN**

Plaintiffs Mercury Multifamily Management, LLC and Mercury Metroplex Real Estate II, LLC (collectively, “Plaintiffs”) and Defendants Peleus Insurance Company, Engle Martin & Associates, Inc., and Ridge Kirn (collectively, “Defendants”) file this Stipulation of Dismissal of Plaintiffs’ Claims against Defendants Engle Martin & Associates, Inc. and Ridge B. Kirn and state:

1. Plaintiffs hereby stipulate and agree to the dismissal of all claims, actions, and/or causes of action against Engle Martin & Associates, Inc. (“EMA”) and Ridge Kirn (“Kirn”) in the above-styled case without prejudice to refiling of same or any part thereof.
2. Plaintiffs (on the one hand) and EMA and Keen (on the other hand) further stipulate and agree that all costs of suit incurred to date are to be taxed against the party (or parties) incurring same.
3. Plaintiffs’ claims, actions, and/or causes of action against Defendant Peleus Insurance Company are unaffected by this Stipulation.

WHEREFORE, PREMISES CONSIDERED, in accordance with the foregoing stipulations and agreements of the parties, Plaintiffs and Defendants jointly request that the Court dismiss all claims, actions, and/or causes of action Plaintiffs have asserted against EMA and Kirn in the above-styled case without prejudice to refiling of same or any part thereof, with all costs of suit to be taxed against the party incurring same.

Respectfully submitted,

**RAIZNER SLANIA, LLP**

By: /s/ Andrew P. Slania

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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been served on all counsel of record on February 24, 2017, in accordance with the FEDERAL RULES OF CIVIL PROCEDURE as follows:

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